

S/N 09/762,629

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	JORSBOE ET AL.	Examiner:	Russell Kallis
Serial No.:	09/762,629	Group Art Unit:	1638
Filed:	MAY 14, 2001	Docket No.:	9192.15USWO
Title:	SELECTION METHOD		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 4, 2002 at facsimile number 703.746.8320.

By: *Lynnda Kraft*

Name: Lynnda Kraft

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the twelve-way restriction requirement mailed by the Examiner on August 5, 2002, the date for timely reply having been extended three months to expire on December 5, 2002, Applicant submit the following Election, with traverse, Amendment, and Remarks relating to the core invention and linking claims. Entry of the Amendment and reconsideration of the number of restricted groups is respectfully requested.

IN THE CLAIMS

✓  
Please cancel pending claims 25-73, and add new claims 74-89:

74. A process for selecting transformed cells or tissue comprising:
- a) transforming plant cells or tissue that are sensitive to galactose toxicity with one or more polynucleotide molecule encoding one or more enzyme that enhances conversion of galactose to UDP-glucose;
  - b) exposing the cells or tissue to galactose, wherein galactose is toxic to non-transformed cells or tissue; and
  - c) selecting transformed cells or tissue that are insensitive to galactose toxicity.
75. The process of claim 74, wherein said one or more enzyme is one or more of: